

NEPA Categorical Exclusion Checklist

For projects categorically excluded under NEPA, document that there are no extraordinary circumstances related to the proposed action that warrant further analysis and documentation in an environmental assessment or environmental impact statement.

Forest, District: Klamath National Forest, Salmon/Scott Ranger District

Project Name: Upper North Fork Salmon River Fuels Reduction & Fire Safety Project

Project Leader: Scott Harding, Salmon River Restoration Council Environmental Coordinator: Danika Carlson

Location Description (District, Distance to Nearest Town): Private lands within Klamath National Forest, Salmon/Scott Ranger District Vicinity of Sawyers Bar, CA

Legal Description: Portions of: Township (T) 40 North (N), Range (R) 12 West (W), sections 13, 24 and 25; T40N R11W sections 28, 29, 35, 24 and 13; T40N R10W sections 18, 19, 9, 16, 17, 20 and 21; T39N, R11W sections 4, 5, 8, 9, 10 and 3; T41N R10W sections 21, 22, 27 and 28 (Mount Diablo Meridian)

Gross acres (project area): 1,709 Net Acres (actual ground disturbance): 120

Project Purpose: To reduce the risks and impacts of wildfire on private property surrounded by the Klamath National Forest, to reduce the likelihood of fires spreading from private property to National Forest lands, and to help recently burned private properties recover from fire impacts and prepare them for future prescribed burning and the restoration of a more natural fire regime.

Description Proposed Action¹: This project would treat flammable fuels on up to 120 acres on selected private properties within high fire risk areas in the upper North Fork Salmon River watershed, in an area roughly bounded by the Little North Fork, Tanners Peak, Eddy Gulch Lookout, and Etna Summit, all within Siskiyou County, CA. Proposed treatments include the creation defensible space zones around structures and critical infrastructure by manually removing excess flammable vegetation, limbing and thinning small diameter trees, removing snags, and clearing the ground of flammable debris. Shaded fuels breaks would be created by thinning small diameter understory and midstory vegetation (ladder fuels) and by cutting and clearing ground fuels. Residue would be hand-piled and burned or chipped on site.

(Attached detailed proposal as needed. Attach Vicinity, Management Area, and Treatment Maps.)

Check the Categorical Exclusion category that applies to the project:

For full description of each category and examples refer to FSH 1909.15, Chapter 30. (9/30/10)					
32.11 Categories Established by the Secretary		32.12 Categories Established by the Chief (CE Case File or DM is not required, but may be recommended)		32.2 Categories (Decision Memo, Comment, and Appeal are Required)	
	7 CFR 1b.3(a)(1)		36 CFR 220.6(d)(1)		36 CFR 220.6(e)(1)
	7 CFR 1b.3(a)(2)		36 CFR 220.6(d)(2)		36 CFR 220.6(e)(2)
	7 CFR 1b.3(a)(3)		36 CFR 220.6(d)(3)		36 CFR 220.6(e)(3)
	7 CFR 1b.3(a)(4)		36 CFR 220.6(d)(4)		36 CFR 220.6(e)(5)
	7 CFR 1b.3(a)(5)		36 CFR 220.6(d)(5)	X	36 CFR 220.6(e)(6)
	7 CFR 1b.3(a)(6)		36 CFR 220.6(d)(6)		36 CFR 220.6(e)(7)
	7 CFR 1b.3(a)(7)		36 CFR 220.6(d)(7)		36 CFR 220.6(e)(8)
			36 CFR 220.6(d)(8)		36 CFR 220.6(e)(9)
			36 CFR 220.6(d)(9)		36 CFR 220.6(e)(11)
			36 CFR 220.6(d)(10)		36 CFR 220.6(e)(12)
					36 CFR 220.6(e)(13)

¹ Describe activities proposed in sufficient detail to demonstrate compliance/consistency with applicable category of CE selected in #1 below. For example: The PA is to maintain 3.5 miles of road 36N72 starting at mile post 2.5, consisting of grading, cleaning of ditches and pipes, and activities are limited to existing road prism. Activities would occur between June 15 and July 15, 2011.

					36 CFR 220.6(e)(14)
					36 CFR 220.6(e)(15)
					36 CFR 220.6(e)(16)
					36 CFR 220.6(e)(17)
31.3 Categories Established by Statute					
	42 USC 15942 – Energy Act 2005--Oil and Gas Leases				
	16 USC 6554 – HFRA – Silvicultural Assessments				
	HR 1105, Div. E, Title IV, Sec. 423. LTBMU – Hazardous Fuel Treatment				
31.4 Statutory NEPA Exception					
	16 USC 6236 – Organization Camp Special Use Authorization				

Forest Plan Management Area (MA) and Proposal Consistency: List applicable MAs. Check Yes [Y] or No [N] for consistency. Note if in an Inventoried Roadless Area. [N/A for projects on private land]

Management Area	Pages in the Forest Plan	Acres within Project Area	Percentage of Project area (%)	Y	N
N/A					
N/A					
N/A					

Determination of Extraordinary Circumstances for the Proposal (36 CFR 220.6(a)): The following resource conditions were considered in determining whether extraordinary circumstances related to the proposed action warrant further analysis and documentation in an EA or an EIS^{2,3}:

² FSH 1909.15 Section 30.3(2).

³ The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion (CE). It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions, and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist (36 CFR 220.6 (a) (2)).

Resource Conditions	If Present, the following Findings are made (Y/N):		Reference material supporting finding of no extraordinary circumstance:
Proposed, Threatened, or Endangered <u>Terrestrial Wildlife Species</u> or Their Designated or Proposed Critical habitat, or FS sensitive wildlife species	Y	No P, T, E or S wildlife species or critical habitats will be <u>adversely</u> affected by this proposal. No extraordinary circumstances exist for this resource condition.	Short-form Wildlife Biological Assessment (PIF-BA) for threatened northern spotted owl and endangered gray wolf. N/A for Forest Service Sensitive Species on private land.
Proposed, Threatened, or Endangered <u>Aquatic Species</u> or Their Designated or Proposed Critical habitat, or FS sensitive aquatic species .	Y	No P, T, E or S Fish, Amphibians or Macroinvertebrates or critical habitats will be <u>adversely</u> affected by this proposal. No extraordinary circumstances exist for this resource condition.	See attached tiering documents to the Programmatic BA for Pre-Commercial Thin and Release Actions and Fuel Hazard Reduction Actions on the Klamath National Forest (8/23/01) and Interdisciplinary Review (below) for SONCC coho and Critical Habitat. N/A for Forest Service Sensitive Species on private land.
Proposed, Threatened, or Endangered <u>Plant Species</u> or Their Designated or Proposed Critical habitat, or FS sensitive plant species	N	No P, T, E or S plant species will be <u>adversely</u> affected by this action. No extraordinary circumstances exist for this resource condition.	No Threatened, Endangered, or Proposed plant species or critical habitat in project area. N/A for Forest Service Sensitive Species on private land.
Floodplains, wetlands or municipal watersheds	N	No floodplains, wetlands or municipal watersheds will be <u>adversely</u> affected by this action. No extraordinary circumstances exist for this resource condition.	N/A
Congressionally designated wilderness, wilderness study areas, or National Recreation Areas	N	No Congressionally designated areas will be <u>adversely</u> affected by this action. No extraordinary circumstances exist for this resource condition.	N/A
Inventoried Roadless Areas	N	IRAs will not be <u>adversely</u> affected by this action. No extraordinary circumstances exist for this resource condition.	N/A
Research Natural Areas	N	RNAs will not be <u>adversely</u> affected by this action.OHV use not allowed in wilderness/no routes exist No extraordinary circumstances exist for this resource condition.	N/A
American Indians and Alaska Native religious or cultural sites	N	Implementation of the Proposed Action would not <u>adversely</u> affect American Indian religious or cultural sites. No extraordinary circumstances exist for this resource condition.	No religious or cultural sites have been identified in the project area.

Archaeological sites, or historic properties or areas		N	No archeological sites or sites eligible for National Historic Register listing will be <u>adversely</u> affected by this proposal. No extraordinary circumstances exist for this resource condition.	This project is a screened undertaking as provided for in the Region 5 Programmatic Agreement, Stipulation 7.2, Appendix D, 2.3(y) and was cleared and certified under Archaeological Report R2016-05-05-22316-0. Due to prevalence of cultural resources in the area, project design features are recommended.
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Biological Evaluations / Assessments:

Type of Assessment	Required?	Date Completed	If required:	
PIF-BA - Wildlife	Yes	06/24/19	Determination:	May affect, not likely to adversely affect northern spotted owl or designated critical habitat. No effect to gray wolf.
BA - Fisheries	Yes	8/23/01	Determination:	Not likely to adversely affect SONCC coho salmon or designated critical habitat.
BA - Plants	No	8/30/16	Determination:	No effect to TES plant species.

Archeological Survey Report:

ASR Number: R2016-05-05-2316-0	Yes	Determination:	No Effect
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Consultation with other agencies and tribes:

FWS: Formal ☐ Informal ☒ by: Kyle Pritchard DATE: 06/24/19

Notes:

NMFS: Formal ☐ Informal ☒ by: Bobbie DiMonte Miller DATE: 06/18/19

Notes: Tiered to Programmatic BA for fuels reduction actions

SHPO: Done ☐ N/A ☒ by: Jeanne Goetz DATE: 06/18/19

Notes:

Native Americans: Done ☒ N/A ☐ by: Scoping Letter DATE: 9/22/16

Notes:

Finding required by other laws:

Law	Compliance Yes or No?	Supporting Information
NFMA [N/A for private land]	N/A	N/A
National Historic Preservation Act	Y	Archeological Survey Report R2016-05-05-2316-0
Clean Water Act	Y	
Clean Air Act	Y	All pile burning would be completed under a Siskiyou County APCD Smoke Management Plan.
Endangered Species Act	Y	Short-form Wildlife Biological Assessment (PIF-BA) and tiering to fisheries Programmatic BA for fuels reduction activities
Other	N/A	N/A

Questions for Consideration	Yes or No?
Is the project within an Inventoried Roadless Area? [N/A for private land]	N/A
Is the project within view of a Wild and Scenic River?	Yes
Is the project within Wilderness?	No
Is this project within Wildland Urban Interface?	Yes
Is the project in a Key Watershed? [N/A for private land]	N/A
Could Riparian Reserves or Aquatic Conservation Strategy objectives be affected? [N/A for private land]	N/A

Scoping: Scoping is required for all proposed actions. Scoping is used to determine if an EA or EIS is needed. Scoping complexity should be commensurate with project complexity [36 CFR 220.6(c), and FSH 1909.15 chapter 30.5]

Check all that apply:

- ☒ The proposed project has been listed in the Schedule of Proposed Environmental Actions.
- ☒ A legal notice of scoping was published in local newspapers.
- ☒ A distribution letter was sent to interested and affected parties, agencies, and tribes.
- ☒ Project was reviewed by an interdisciplinary planning team.

(Attach a list of interested and affected parties, tribes, and agencies contacted.)

Review:

Environmental Coordinator

by:

Danika Carlson

DATE:

7/9/2019

Line Officer approval: I have considered the above listed resource conditions and determined there are no extraordinary circumstances related to the proposed action that warrant further analysis and documentation in an EA or EIS. None of the extraordinary circumstances described in 36 CFR 220.6 (b) exist. I have also considered all other factors listed here and find that all practical means to avoid or minimize environmental harm have been adopted in the design of proposed action.

Line Officer Name/Title:

by:

[Signature]

DATE:

7/9/2019

INTERDISCIPLINARY REVIEW

Instructions: List any known extraordinary circumstances, Forest Plan, or other legal concern that may result in the need for this project to be modified or analyzed under an environmental assessment or environmental impact statement. Provide rationale to support your concern. If there are no extraordinary circumstances, provide rationale to support this conclusion. Reference any supporting documents. (Delete resource specialties that are not required.)

Wildlife [Kurt Bainbridge, Stantec Consulting Services, Inc. Biologist; reviewed by Sam Cuenca, KNF SSRD District Wildlife Biologist]:

The Threatened, Endangered, and Candidate Species that are known to exist or for which habitat exists in the project area were reviewed. No federally-listed threatened or endangered species and their designated critical habitat, nor candidate species proposed for federal listing or their proposed critical habitat would be adversely impacted by this action. A Short-form Biological Assessment (PIF-BA) was completed for this project in April 2019. It was determined that the project would have “no effect” on gray wolf. The project “may affect, not likely to adversely affect” northern spotted owl (NSO) or its designated critical habitat. These determinations were made on the basis of the incorporated project design features (PDFs) and limited operating periods that would minimize disturbance to listed species. This project, as a sub-project of the Salmon River Private Lands-Focused Fuels Reductions Projects, underwent informal consultation with the US Fish and Wildlife Service and their Yreka Fish and Wildlife Office issued a Letter of Concurrence on 06/24/19.

The following PDFs are included to avoid potential impacts on NSO and gray wolf:

PDF-1: The following limited operating periods would be implemented for the specified project activity types within 0.25-mile of an NSO activity center or within 0.25-mile of NSO nesting/roosting and foraging habitat:

- From February 1 to September 15 for activities that alter habitat
- From February 1 through July 9 for activities that cause disturbance (noise, visual, smoke)
- From February 1 through July 31 for underburning only

LOPs may be lifted if a protocol-level survey following the USFWS 2012 *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls* or most current version of the protocol is conducted by a qualified biologist and no NSO are detected. If survey results indicate the presence of a single NSO, project activities may commence after July 15. If an NSO pair are present, the LOPs would remain in effect.

PDF-2: Project activities will not remove or downgrade NSO nesting/roosting or foraging habitat. No removal or reduction in overstory canopy closure will occur within these habitat types. A diameter limit of 8 inches DBH in NSO suitable habitat and 10 inch DBH outside suitable habitat will be utilized in order to maintain multi-layered stand structure while allowing for sufficient fuels treatment to reduce fuel loading and ladder fuels and reduce the likelihood of high intensity wildfire. No overstory trees will be removed.

PDF-3: While snag removal is not proposed as a treatment in the project, individually evaluated snags may be felled where they pose a safety risk during operations or to landowners and the public, or where they are determined to pose a fire hazard on or within 200 feet of private property or within 200 feet of ingress/egress roads and roads accessing private property. Snags will not be cut where they are not determined to pose a safety or fire hazard. Whenever feasible, felled snags will be retained in the longest lengths possible as downed wood and will be oriented parallel to hillslope to reduce rollout potential during fires.

PDF-4: Coarse woody debris (CWD) removal is not proposed as a treatment in the project. Coarse wood debris greater than 16-inch diameter will be maintained and protected from disturbance to the greatest extent possible during cutting, mechanical treatment, and pile burning activities. CWD will not be cut or moved except as necessary for site access, to ensure worker safety, and as needed for fire lines. Burn piles will be placed away from CWD to reduce the possibility of their ignition during pile burning.

PDF-5: To minimize loss of nesting, roosting, foraging, resting, and prey base habitat components (including mycorrhizal fungi), prescribed underburning will occur during conditions that will not consume more than 10% of down logs in the 16-inch diameter and larger size class.

PDF-6: No more than 50 percent of suitable habitat within any NSO core or homerange will be treated with prescribed fire by this project, not to exceed 10 percent per core or homerange on a rolling annual basis (i.e., within 12 months of last ignition date). In the event a new NSO activity center is established, this same design feature will apply.

PDF-7: During each prescribed fire entry, the mortality of retained trees within mixed conifer and riparian stands will not exceed 60% mortality within the size class less than 4 inches DBH, 30% mortality for trees 4-8 inches DBH, and no more than 5% mortality for trees greater than 8 inches DBH. No snags will be directly ignited. The end result should be a mosaic of burned and unburned shrub and understory vegetation pockets throughout a treatment stand.

PDF-8: For pile burning and prescribed underburning treatments, snags, coarse woody debris, woodrat nests, wildlife trees and other features desired for retention will be protected, to the extent feasible, from unintended ignition through strategic pile placement, staged ignition of adjacent piles to reduce heat and ember generation, and the use of fire control methods such as fire line and water use. Piles will be ignited using drip torches or propane burners in such a manner that allows any

wildlife within to escape. Where pile burning is conducted in NSO nesting/roosting and foraging habitat, two unburned slash piles will be left per acre to provide habitat for small mammals. Pile size will vary but in general would not exceed 6 feet wide by 6 feet long by 6 feet tall. Piles to remain onsite will be located sufficient distances from trees to be retained to reduce the potential for tree scorch or damage. In addition, piles to be retained will generally be selected within the interior of the project unit and away from untreated areas.

PDF-9: When burning in spring outside the prescribed LOPs, smoke should be managed so that light to moderate, dispersed smoke may be present in an area, but dissipates or lifts within 24 hours. Ignition should be discontinued if heavy, concentrated smoke begins to inundate the area.

PDF-10: Prescribed burning will be conducted where fuel and weather conditions are favorable for safe, controlled burning with overall low fire intensity, limited areas of moderate fire intensity, and desirable fire effects. A National Wildfire Coordinating Group (NWCG) compliant burn plan will be prepared for each prescribed burn operation and will be reviewed and signed by a current NWCG-qualified Burn Boss. Burn operations will be conducted according to NWCG standards, the burn plan, and will be overseen by an appropriately qualified NWCG Burn Boss with all resources indicated in the burn plan.

PDF-11: For any mechanical mastication treatments, a rotary masticator head attached to an articulated arm on an excavator or other piece of equipment will be utilized in order to allow for more precise control of the treatment.

PDF-12: If a gray wolf or gray wolf activity is identified within a project unit or within one mile of a project unit, USFWS will be notified within 48 hours and a determination will be made if this activity indicates an active den or rendezvous site is in the area.

PDF-13: If an active project unit is located within one mile of a known active (or previously established) gray wolf den or rendezvous site and the project cannot be altered to drop the treatment or activity, the following seasonal restrictions (LOPs) will be implemented and are expected to minimize the potential for direct and indirect effects to wolf reproductive behaviors to a discountable level:

1. Activities that produce noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels within one mile of a known active den site (or previously established den site) will not be implemented between February 1 and June 30. This den site seasonal restriction is expected to provide protection from any prolonged or substantial vegetation management-related disturbance during the critical pup-rearing period at early rendezvous site(s).
2. Activities that produce noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels within one mile of known, active rendezvous sites (or previously established rendezvous sites) will not be implemented between June 1 and August 31.
3. For previously established den or rendezvous sites, these seasonal restrictions may be lifted if year-of-implementation surveys prior to (within two months) or during project activities show there are no reproducing wolves within one mile of the activities (surveys could include camera or telemetry data, site reviews for evidence, other supported survey results).
4. The distance for these seasonal restrictions may be reduced based on proximity to high-use road systems or recreation areas, topography or other supported rationale. Any modifications will be discussed and agreed-to at the project-specific Level 1 or Section 7 consultation meeting.

PDF-14: If a den site is detected within one mile of a project unit or project activity prior to or during implementation, activities that result in noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels are not permitted within one mile of the den site from the time of detection through June 30.

PDF-15: If an active rendezvous site is detected within one mile of a treatment unit or project activity prior to or during implementation, activities that result in noise greater than 20 decibels above ambient sound levels or contribute to a maximum sound level greater than 90 decibels are not permitted within one mile of the rendezvous site from the time of detection through August 31.

Initials: SC Date: 4/23/19

Botany [Danika Carlson]:

The Threatened and Endangered Species (T and E) plant species that are known to exist or for which habitat exists in the general vicinity of the project area were reviewed. It was determined that the project area does not contain suitable habitat, known ranges, or proposed or designated critical habitat of threatened and endangered plant species. Therefore, it was determined that the project will have "no effect" on Threatened or Endangered plant species.

Initials: DC Date: 4/23/2019

Archaeology [Jeanne Goetz, Heritage Program Manager]:

This undertaking was screened following Region 5 PA, Stipulation 7.2, Appendix D, 2.3(y) - activities to reduce hazardous fuels on private lands, funded in whole or in part using Forest Service grants, including educational and training efforts, hand treatments, mowing, chipping, pile burning, use of hand-held mechanized equipment, and all fuels treatments at private residences. The project will not effect cultural resources; however, due to the prevalence of cultural resources in the area, the following project design features are recommended:

1. private property owners and project implementers will be informed of the likely presence of both historic and prehistoric resources within the project area prior to implementation
2. private property owners and project implementers will pile and burn in locations where the ground surface is visibly clear of cultural resources
3. private property owners and project implementers will contact the District Archaeologist at the Salmon/Scott River Ranger District if they have any questions or concerns about the presence of cultural resources or the potential effects of the project on these resources
4. in the unlikely event that human remains are discovered during implementation, all project work in the immediate vicinity will stop and the County Coroner and Klamath National Forest will be contacted.

Initials: JG Date: 06/18/2019

Fisheries [Bobbie DiMonte Miller, Forest Fisheries Program Manager]:

Species of interest include any ESA listed fish. Threatened SONCC coho salmon and designated Critical Habitat occurs in the North Fork Salmon River which is adjacent to proposed actions in the greater Sawyers Bar area.

The proposed action was designed to be consistent with project design features described in the Forest's Programmatic Biological Assessment and Evaluation for Pre-Commercial Thin and Release Actions and Fuel Hazard Reduction Actions (8/23/01). As described in the Programmatic BA (and summarized on attached project tiering form), due to incorporation of these design features, the proposed actions near the river are not likely to adversely affect SONCC coho salmon or CH. Due to the distant proximity to coho salmon and CH, proposed actions in the upland portions of the project area would have no effect on this species and habitat.

Initials: BDM Date: 06/18/19